

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHRISTIAN PAUL ENZO KLEIN,

Plaintiff,

-against-

METROPOLITAN TRANSIT AUTHORITY: MTA
POLICE DEPARTMENT JOHN DOE 1-3; JANE
DOE 1-2,

Defendants.

**DEFENDANT'S AUTOMATIC
DISCLOSURE PURSUANT TO
RULE 26(a)**

1:21-cv-07118 (JPC)

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PLEASE TAKE NOTICE that, pursuant to Rule 26 of the Federal Rules of Civil Procedure, defendant METROPOLITAN TRANSPORTATION AUTHORITY ("Defendant" or "MTA"), by their attorneys, Landman Corsi Ballaine & Ford P.C., make the following automatic disclosure:

A. Witnesses:

Defendant hereby identifies the following individuals in compliance with the Court's September 10, 2021 Valentin Order and those witnesses who are likely to have discoverable information which Defendant may use to support its claims or defenses:

- John Doe 1: Kirk Thomas, Metro-North Train Conductor, Metro-North Legal Department, 420 Lexington Avenue, 11th Floor, N.Y., N.Y.
- John Doe 2: MTAPD P.O. Brian Denicola, Badge 2349, District 1 - 10 West Suffolk Avenue, Central Islip, N.Y. 11722
- John Doe 3: MTAPD Lt. Matthew Sauer, Badge 60, Last known address: 848 Holland Hill Rd., Fairfield, CT 06824-5221
- Jane Doe 1 – MTAPD P.O. – Danielle Hughes, Badge 751, District 7 - 7-11 Beekman Street, Beacon, NY 12508

- Jane Doe 2 – MTAPD Capt. Jennifer Kelly, Badge 10, MTAPD Head Quarters, 420 Lexington Ave., New York, NY 10017

Additional potential witnesses are listed in the MTA Police Department Initial Incident Report.

B. Documents:

1. August 22, 2018 MTA Police Department's Incident Report 18-23928;
2. January 30, 2020 letter of Christian Klein to the Metro-North Claims Department;
3. August 31, 2018 State of Connecticut Superior Court's Promise to Appear on Notice to Christian Klein; and,
4. September 17, 2020 Public Authority Law Hearing Testimony,

C. Insurance Agreements:

Defendant is self-insured through a captive insurance program.

PLEASE TAKE FURTHER NOTICE, that defendant reserves all objections to the admissibility of all documents annexed hereto or referenced herein. Defendant further reserves the right to supplement this response.

Dated: New York, New York
October 19, 2021

Yours, etc.,

LANDMAN CORSI BALLAINE & FORD P.C.

By: 

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